



Town of Wilton, NH
Application to the Zoning Board of Adjustment
 (Revised January 2011)

General Information, Page 1 of 3

Property Information

Describe the lot involved in the application (the lot that you want to build a building on, subdivide, conduct a business or other activity on, etc.). If more than one lot is involved, then describe them all in this space if it is convenient, or attach additional copies of this page.

Tax Map and Lot Number D-99 Lot Size 24.1+/-

Street Address 304 Gibbons Highway (NH Route 101)

Zoning District (check one):

- Residential General Residence and Agricultural
 Commercial Industrial Office Park

Relevant Overlay Districts (check any that apply):

- Research and Office Park Floodplain Conservation Watershed
 Wetlands Conservation Aquifer Protection Elderly Housing

Owner

If the application involves multiple lots with different owners, attach additional copies of this page.

Name Roger G. Chappell

Mailing address 199 Union Street

Mailing address _____

Town, State, ZIP Milford, NH 03055

This application must be signed by the owners of all lots involved in the application.

I approve the submission of this application. If an applicant or representative is named on the next page, the person named there has my permission to represent me before the Wilton Zoning Board.

Signature  Date 6/25/2019

(continued on the next page)

clerk use only	
Date and time received: _____	
Received by: _____	Amount paid: _____
Case #: _____	<input type="checkbox"/> Abutter list and labels included



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Applicant

The applicant is the person who actually wants to build the building, conduct the business, etc. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

Same as owner

Name Glendale Homes, Inc. c/o Gerry Tanguay

Mailing address 67 Pepperell Road

Mailing address _____

Town, State, ZIP Brookline, NH 03033

Signature of Applicant or Owner

I certify that to the best of my knowledge and belief, all information provided in this application is accurate.

Signature  Date 6/25/2019

Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name Fieldstone Land Consultant, PLLC

Mailing address 206 Elm Street

Mailing address _____

Town, State, ZIP Milford, NH 03055

I authorize the above-named representative to submit this application and to speak before the Zoning Board on my behalf.

Signature of applicant or owner

Signature  Date 6/25/2019

(continued on the next page)



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Contact Information

How can we get in touch with the applicant or the applicant's representative, if there are questions about or problems with the application? Provide at least one of the following. If you provide more than one, please check your preferred form of contact.

This information is for: the applicant the representative.

Daytime phone 603-672-5456 Evening phone 603-499-5799

Work E-mail cebranon@fieldstonelandconsultants.com Personal e-mail _____

Proposed Use

Explain what you want to do with the property. (Do you want to build a building, subdivide a lot, have a business, ...).

Explain why you need the Zoning Board to let you do it. (The building will be too close to the lot line; the Planning Board wouldn't approve your subdivision; your lot is in a zoning district where businesses aren't allowed; ...).

Be specific. Identify the section or sections of the Zoning Ordinance that apply. If lot sizes or configurations or building placements are relevant, provide a scale drawing or plan showing all relevant information, such as lot lines, setbacks, present and proposed structures on your lot and neighboring lots, etc.

Description of proposed use and need for ZBA approval (use this page; attach additional pages as necessary):

This project proposes to develop the subject property into an Elderly Housing development with associated site improvements. The Elderly Housing District under Section 13.3 (d) states that the head of the household or spouse shall be at least 60 years of age and we are seeking relief for this to be reduced to 55 years of age as this is the typical threshold.



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Application for a Variance, Page 1 of 2

When, because of the specific characteristics of your property, the Zoning Ordinance unreasonably restricts your use of your property without a corresponding public benefit, the Zoning Board may grant a Variance, which modifies or sets aside particular requirements of the Ordinance.

The specific section of the Zoning Ordinance to be varied: 13.3 (d)

The requirement in that section that you want to change, and how you want it changed:

This project proposes to develop the subject property into a Elderly Housing development with associated site improvements. The Elderly Housing District under Section 13.3 (d) states that the head of the household or spouse shall be at least 60 years of age and we are seeking relief for this to be reduced to 55 years of age as this is the typical threshold.

To grant a variance, the Zoning Board must decide that it will satisfy each of the following five conditions. Please explain why you believe that each of the following statements is true. (Use additional sheets of paper if necessary.)

1. Granting the variance would not be contrary to the public interest: _____

See Attached Narrative

2. Granting the variance would be consistent with the spirit of the Ordinance: _____

See Attached Narrative

3. Granting the variance would do substantial justice: _____

See Attached Narrative

4. The proposed use will not diminish surrounding property values: _____

See Attached Narrative

(continued on the next page)



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Application for a Variance, Page 2 of 2

5. Literal enforcement of the provision of the ordinance would result in unnecessary hardship.
Complete just one of sections 5(a), 5(b), or 5(c):

5(a) i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property:

See Attached Narrative

ii. The proposed use is a reasonable one:

See Attached Narrative

iii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

See Attached Narrative

5(b) i. The property cannot be reasonably used in strict conformance with the ordinance:

See Attached Narrative

ii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

See Attached Narrative

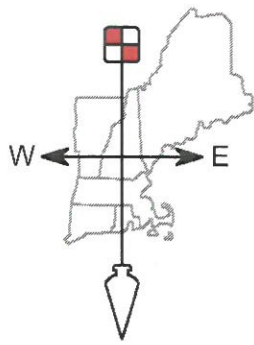
5(c) Hardship resulting from a physical disability.

i. The variance is necessary to make reasonable accommodations to allow a person with a recognized physical disability to reside in or regularly use the premises:

Not Applicable

ii. The variance is in harmony with the general purpose and intent of the zoning ordinance:

Not Applicable



FIELDSTONE

LAND CONSULTANTS, PLLC

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

VARIANCE CRITERIA

VARIANCE FROM SECTION 13.3(D)

Tax Map Parcel D-99

304 Gibbons Highway, Wilton, NH

June 25, 2019

Prepared For:

Glendale Homes, Inc.

The subject site is proposed to be developed into an Elderly Housing Project. Typically these projects are age restricted from 55 and older not 60 and older as outlined in Section 13.3 (D) of the local zoning ordinance. In order to make the project more marketable and to provide the Town of Wilton with a successful project that meets the standard state and federal thresholds we are seeking a variance from this section to allow for the age restriction to start at age 55.

The numbered items below correlate to the questions asked in the Town Application for a Variance.

1. Granting the variance would not be contrary to the public interest because:
Granting this variance would allow for the productive use of the existing property and would provide a diversity of housing in Wilton that does not yet exist to our knowledge. The proposed conceptual plan shows a layout that would fit in well with the surroundings as it would provide open space area along the river and significant buffering to the abutting land owners. Since this proposal will provide the above while resulting in no negative impacts to the public we believe granting this variance would not be contrary to the public interest.
2. If the Variance were granting, the spirit of the ordinance would be observed because:
We do believe that the granting of this variance would observe the spirit and intent of the ordinance. The project would meet all state and federal requirements for this type of housing and would be the same as other projects completed in neighboring communities by the applicant. The layout of the project would meet all dimensional requirements and the project would provide for great open space along the river and buffering to the surrounding areas. We believe granting this variance would be in the spirit of the ordinance since it would provide a diversity of housing for the aging population in the area while resulting in no negative impacts on the surrounding areas and certainly no impacts to the health or safety of the general public.

Glendale Homes, Inc.

Tax Map Parcel D-99 – Wilton NH

Variance Criteria

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3. Granting the variance would do substantial justice because:

Granting this variance would allow for a reasonable development of the subject property. The development will be sensitive to the surrounding areas and will provide a much needed housing stock for the area that to our knowledge currently does not exist. Reducing the age threshold from 60 to 55 will increase the marketability for the project and will allow for the project to be consistent with standard thresholds. The state and federal regulations for this type of development start at age 55 so this request would make the project consistent with these regulations and laws. This project will have no negative impacts on the health, safety or welfare of the general public nor will it create any burden on local services. Granting this variance would do substantial justice because it would allow for the productive use of the property as described above, while providing responsible growth in the community. In our opinion a denial of this request would cause hardship to our client with no gain to the general public.

4. Granting the Variance would not diminish the value of surrounding properties because:

Given the fact that this expansion would cause no negative impacts to the surroundings we do not believe that this proposal would have any negative impacts on surrounding property values. In contrast new development often will increase the value of the neighborhood and surrounding property values. For these reasons we do not believe that this project would have any negative impacts on the value of surrounding properties.

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

1. No fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because:

Granting this variance would allow for the productive use of the existing property and would allow for the project to be built in conformance with state and federal regulations. We believe the general public purpose of the ordinance is to ensure that the project is occupied by elderly residents, to provide housing diversity and to minimize impacts on municipal services. This proposal will meet all of these objectives and will be consistent with standard elderly housing age restrictions including the state and federal regulations. Our experience has always been that elderly housing that does not include assisted living is restricted to the age of 55. The typical requirement is that the head of the household or spouse is at least 55 years of age. We have included some standard documentation addressing this age restriction which has been incorporated in many projects throughout the state of New Hampshire including Milford and Amherst where Glendale Homes, Inc. has built similar projects. We believe a strict enforcement of this ordinance would limit the marketability of the project, would be inconsistent with state and federal laws and would thereby create an unnecessary hardship for the applicant.

Glendale Homes, Inc.
Tax Map Parcel D-99 – Wilton NH
Variance Criteria

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2. The proposed use is a reasonable one because:

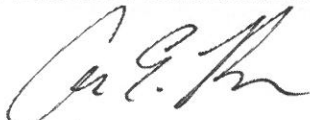
We believe that the proposed use is a reasonable one for all of the reasons previously stated. The following is an outline of why we believe the proposed use is reasonable:

- Granting this variance would allow for the productive use of the exist property.
- The project meets all of the objectives of the Elderly Housing District with the exception of the age restriction as we are seeking relief to allow the restriction to start at 55 years of age.
- The project will meet the objectives of this ordinance and will not result in negative impacts to the surroundings.
- This development is great for this property and the surroundings. There will be open space provided along the river and buffering to the abutting properties.
- For all of the reasons we believe that the proposed use is reasonable.

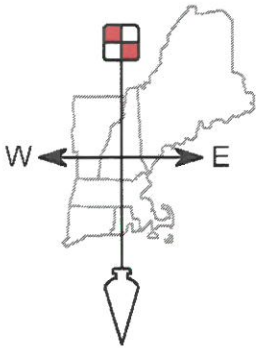
3. The hardship is a consequence of the special conditions of the property that distinguish it from other properties

Not Applicable.

This information was prepared by:
Fieldstone Land Consultants, PLLC



Chad E. Branon, P.E.
Project Manager



FIELDSTONE

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

June 25, 2019

RE: **Elderly Housing Project**
Tax Map Parcel D-99
304 Gibbons Highway, Wilton, NH

To Whom It May Concern:

The undersigned being the applicant for the above referenced project hereby authorizes Fieldstone Land Consultants, PLLC to act as their agent in filing and seeking all necessary local, state and federal approvals.

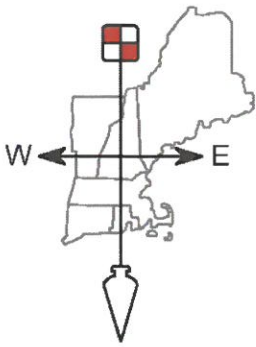
Very truly yours,

Glendale Homes, Inc.

Signature: _____

Name & Title: Gerard Tanguy Jr President

Date: 6-25-19



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Land Planning ♦ Septic Designs

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June 25, 2019
FLC#463.01 / MDP

List of Abutters
Tax Map D Lot Number 99
304 Gibbons Highway
Wilton, New Hampshire

Map D Lot 99
Roger G. Chappell
199 Union Street
Milford, NH 03055

Map D Lots 98, 102-1 & 103
Town of Wilton
42 Main Street
Wilton, NH 03086

Map D Lot 100
Grace Batchelder
c/o Kathleen Cridge
1015 Seldon Drive
Strasburg, VA 22657-2853

Map D Lot 102
J & L Revocable Trust
PJ Poisson & LM Carter Ttees
PO Box 688
Wilton, NH 03086

Map F Lot 63, 65 & 66
Regional Urban Development
33 Main Street – PO Box 318
Wilton, NH 03086

Map F Lot 64
Donald R. Bogdan &
Susan J. Bogdan
9 Intervale Road
Wilton, NH 03086

Map F Lot 67
Brian H. Firmin &
Jo Ann Firmin
40 Intervale Rd.–PO Box 1028
Wilton NH 03086

Map F Lot 68
Curtis Cowan
58 Proctor Road
Wilton, NH 03086

Map F Lot 69
Cheryl L. Bosquet
78 Proctor Road
Wilton, NH 03086

Map F Lot 70
Randy & Patricia King
70 Proctor Road
Wilton, NH 03086

Map F Lot 71
Ryley C. Ameden &
Alexis J. Ameden
60 Proctor Road
Wilton, NH 03086

Map M Lot 84
William R. Polson
Patricia Polson
86 Proctor Road
Wilton, NH 03086

Map M Lot 85
Dennis L. Maccallum
Arleen Maccallum
92 Proctor Road
Wilton, NH 03086

Map M Lot 86
Mark R. Macpherson
Vicki D. Macpherson
100 Proctor Road
Wilton, NH 03086

Map M Lot 87
John B. & Allison H. Seils
110 Proctor Road
Wilton, NH 03086

Map M Lot 88
Brandon R. & Lauren M. Cook
118 Proctor Road
Wilton, NH 03086

Map M Lot 89
Rene L. & Karen A. Lumibao
37 Abbot Hill Acres Road
Wilton, NH 03086

Map M Lot 91
Stasia B. Millett
Douglas E. Millett
31 Abbot Hill Acres Road
Wilton, NH 03086

(Applicant)
Glendale Homes Inc.
67 Pepperell Road
Brookline, NH 03033

Engineer:
Fieldstone Land Consultants, PLLC
206 Elm Street
Milford, NH 03055